

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Valtrus Innovations Ltd.

§

§

Plaintiff,

§

v.

§

CIVIL ACTION NO. 2:24-cv-00142-JRG

§

**Dawn Acquisitions LLC (d/b/a
Evoque Data Center Solutions)**

§

JURY TRIAL DEMANDED

§

§

Defendant.

§

JOINT MOTION TO DISMISS

WHEREAS, Plaintiff Valtrus Innovations, Ltd. (“Plaintiff”) and Defendant Dawn Acquisitions LLC (d/b/a Evoque Data Center Solutions) (“Dawn”) have resolved Plaintiff’s claims for relief against Dawn.

NOW, THEREFORE, Plaintiff and Dawn, through their attorneys of record, request this Court to dismiss Plaintiff’s claims for relief against Dawn with prejudice and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

Date: August 26, 2024

Respectfully submitted,

/s/ Eric H. Findlay

Matthew G. Berkowitz – LEAD ATTORNEY
Patrick Colsher
Aaron Morris
Reichman Jorgensen Lehman & Feldberg
LLP
100 Marine Parkway, Suite 300
Redwood Shores, CA 94065
Tel: (650) 623-1401
mberkowitz@reichmanjorgensen.com
pcolsher@reichmanjorgensen.com
amorris@reichmanjorgensen.com

Connor S. Houghton

/s/ Jeff M. Barron

Mark L. Durbin (admitted pro hac vice)
Barnes & Thornburg LLP
One North Wacker Drive, Suite 4400
Chicago, IL 60606
(312) 357-1313
mark.durbin@btlaw.com

Jeff M. Barron – LEAD ATTORNEY
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204
(317) 231-1313
jeff.barron@btlaw.com

Ariane S. Mann

Reichman Jorgensen Lehman & Feldberg
LLP

1909 K Street NW, Suite 800

Washington DC, 20006

Tel: (202) 894-7310

choughton@reichmanjorgensen.com

amann@reichmanjorgensen.com

Attorneys for Defendant Dawn Acquisitions,
LLC

Eric H. Findlay (TX Bar No. 00789886)

Brian Craft (TX Bar No. 04972020)

FINDLAY CRAFT, P.C.

7270 Crosswater Avenue, Suite B

Tyler, Texas 75703

Tel: (903) 534-1100

Fax: (903) 534-1137

Email: efindlay@findlaycraft.com

Attorneys for Plaintiff

Valtrus Innovations Limited

CERTIFICATE OF CONFERENCE

I hereby certify that Counsel for Defendant and Counsel for Plaintiff have complied with the meet and confer requirement in Local Rule CV -7(h) regarding this Motion. The Parties are in agreement and are seeking joint relief.

/s/ Eric H. Findlay
Eric H. Findlay

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service on this 26th day of August, 2024.

/s/ Eric H. Findlay
Eric H. Findlay